

REMARKS

In the Office Action the Examiner noted that claims 1-6, 8-10, and 12-15 are pending in the application. The Examiner rejected claims 1, 4-6, 8-10, and 12-15, and objected to claims 2 and 3. By this Amendment, claims 14-15 have been cancelled without prejudice or disclaimer, claim 1 has been amended, and new claims 16-17 have been added. Thus, claims 1-6, 8-10, 12-13, and 16-17 are pending in the application. The Examiner's rejections are traversed below, and reconsideration of all rejected claims is respectfully requested.

Entry of Amendment Under 37 C.F.R. §1.116

The Applicant requests entry of this Rule 116 Response because: the amendments were not earlier presented because the Applicant believed in good faith that the cited references did not disclose the present invention as previously claimed; the amendment of claim 11 should not entail any further search by the Examiner since no new features are being added and no new issues are being raised; and the amendment does not significantly alter the scope of the claim, and places the application at least into a better form for purposes of appeal. No new features or new issues are being raised.

The Manual of Patent Examining Procedures sets forth in Section 714.12 that "any amendment that would place the case either in condition for allowance or in better form for appeal may be entered." Moreover, Section 714.13 sets forth that "the Proposed Amendment should be given sufficient consideration to determine whether the claims are in condition for allowance and/or whether the issues on appeal are simplified." The Manual of Patent Examining Procedures further articulates that the reason for any non-entry should be explained expressly in the Advisory Action.

Claim Rejections Under 35 USC §102

In item 1 on page 2 of the Office Action the Examiner rejected claims 1, 4, 6, 8-10, 12, and 14-15 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent Application Publication No. 2002/0089996, issued to Komatsu et al. (hereinafter referred to as "Komatsu"). By this Amendment, claims 14-15 have been cancelled without prejudice or disclaimer. The Applicants respectfully traverse the Examiner's rejections of the remaining claims.

Claim 1 recites "a blade enclosure in which said plurality of main-signal blades are

enclosed; and a back plane which is situated inside said blade enclosure and provides a two-fiber ring connection for the internal optical signal interface unit between the main-signal blades.” The Applicants respectfully submit that at least these features are not disclosed or suggested by Komatsu.

The Examiner stated that Komatsu discloses a blade enclosure 2 and a back plane 3 situated inside the blade enclosure 2, and provides a two-fiber ring connection for the wavelength multiplexed optical interface between main-signal blades (Paragraph [0150] and Figure 13).

However, contrary to the Examiner’s assertions, Figure 13 of Kamatsu merely shows an 80-Gbps ring network that is comprised of a plurality of 40-Gbps 2F-BLSRs via 80-Gbps WDM signals in a ring configuration. In Figure 13, each of the four nodes 1 that are connected together to form each 40-Gbps 2F-BLSR is also shown in Figure 1 as having its own respective shelf 2 and backplane 3. Accordingly, the ring network shown in Fig. 13 is formed outside the backplane 3 of the node 1. Therefore, no two-fiber ring connection for the internal optical signal interface unit between the main signal blades is provided or anticipated as being situated inside the blade enclosure in Komatsu.

Therefore, Komatsu does not disclose at least the feature of “a back plane which is situated inside said blade enclosure and provides a two-fiber ring connection for the internal optical signal interface unit between the main-signal blades.” Accordingly, Komatsu does not disclose every element of the Applicants’ claim 1. In order for a reference to anticipate a claim, the reference must teach each and every element of the claim (MPEP §2131). Therefore, since Komatsu does not disclose the features recited in independent claim 1, as stated above, it is respectfully submitted that claim 1 patentably distinguishes over Komatsu, and withdrawal of the §102(b) rejection is earnestly and respectfully solicited.

Claims 4, 6, 8-10, and 12 depend from claim 1 and include all of the features of that claim plus additional features which are not disclosed or suggested by Komatsu. Therefore, it is respectfully submitted that claims 4, 6, 8-10, 12 also patentably distinguish over Komatsu.

In item 2 on pages 2-3 of the Office Action the Examiner rejected claims 1, 5, and 13 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,983,294, issued to Kim et al. (hereinafter referred to as “Kim”). The Applicants respectfully traverse the Examiner’s rejections of these claims.

Claim 1, as amended, recites “a back plane which is situated inside said blade enclosure

and provides a two-fiber ring connection for the internal optical signal interface unit between the main-signal blades, wherein the two-fiber ring connection has two fibers connecting between each two adjacent ones of the main-signal blades.” The Applicants respectfully submit that at least these features are not disclosed or suggested in Kim.

The Examiner stated that Kim discloses a two-fiber ring connection between blades and between backplanes of other nodes (Figure 5 and Column 4, Lines 7-12). However, as shown in Figure 1B of Kim, every four synchronous STM-16 I/O portions connected to the backplane 200 (in four respective slots) are grouped together to form each set (shown in Figure 1B as (1W, 1P, 2W, 2P), (3W, 3P, 4W, 4P), and (5W, 5P, 6W, 6P)). Any two adjacent synchronous STM-16 I/O portions which are not included in the same set (e.g., 2P and 3W, or 4P and 5W) are connected through the AU signal intercrossing portion 300, and, thus, are not connected through the two-fiber ring connection provided by the backplane. In other words, Kim does not disclose or suggest a configuration in which “a two-fiber ring connection for the internal optical signal interface unit between the main-signal blades, wherein the two-fiber ring connection has two fibers connecting between each two adjacent ones of the main-signal blades,” as is recited in claim 1 of the present application.

Therefore, the Applicants respectfully submit that claim 1 patentably distinguishes over Kim.

Claims 5 and 13 depend from claim 1 and include all of the features of that claim plus additional features which are not disclosed or suggested by Kim. Therefore, it is respectfully submitted that claims 5 and 13 also patentably distinguish over Kim.

Allowable Subject Matter

In item 3 on pages 3-4 of the Office Action the Examiner objected to claims 2-3 as being dependent upon a rejected base claim, but indicated that these claims would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

As stated in the previous section of this Amendment, claim 1 patentably distinguishes over the cited references. Therefore, as claims 2-3 depend from claim 1 and include all of the features of that claim plus additional features which are not disclosed or suggested by the cited references, it is respectfully submitted that claims 2-3 also patentably distinguish over the cited references.

New Claims 16-17

New claims 16-17 are directed to the subject matter which the Examiner indicated as allowable in item 3 on page 3 of the Office Action. Therefore, it is respectfully submitted that new claims 16-17 also patentably distinguish over the cited references.

Summary

In accordance with the foregoing, claims 14-15 have been cancelled without prejudice or disclaimer, claim 1 has been amended, and new claims 16-17 have been added. No new matter has been presented. Thus, claims 1-6, 8-10, 12-13, and 16-17 are pending and under consideration.

There being no further outstanding objections or rejections, it is respectfully submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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